



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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January 20, 1998

SENSITIVE

JAN 21 1998

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

Kim Bright-Coleman
Associate General Counsel

EXECUTIVE SESSION
SUBMITTED LATE

SUBJECT: Revisions to Factual and Legal Analyses and Subpoenas in MURs 4407 and 4544

On January 13, 1998, the Commission considered the First General Counsel's Report on MURs 4407 and 4544, which concerns President Clinton's 1996 primary and general election campaign for the Presidency.¹ In response to several comments made during the Commission's consideration of the Report, the Office of General Counsel has revised the Factual and Legal Analyses and subpoenas that were attached to the Report. The revised documents are attached, and are numbered as in the Report.

The revised Factual and Legal Analyses include as an attachment the text of all DNC advertisements of which we are aware. In addition, this Office has revised the Factual and Legal Analyses to address Advisory Opinion 1985-14. For example, the new language can be found at Attachment 15, pages 23-24.

This Office has revised the subpoenas to more precisely define the time period at issue. The subpoenas have also been revised to state the current Chairman's name and the year 1998. All of the proposed subpoenas are attached. Accordingly, this Office withdraws its recommendation that the Commission approve sample subpoenas and instead recommends that the Commission approve the subpoenas and Factual and Legal Analyses submitted herewith.

¹ On this same date, the Commission also considered the First General Counsel's Report on MURs 4553 & 4671, concerning Senator Dole's 1996 primary and general election committees.

RECOMMENDATIONS

1. Approve the attached subpoenas; and
2. Approve the attached Factual and Legal Analyses.

Attachments:

13. Deposition subpoenas
14. Document subpoenas and orders to submit written answers
15. Factual and Legal Analysis for the Democratic National Committee
16. Factual and Legal Analysis for the Clinton/Gore '96 Primary Committee, Inc.
17. Factual and Legal Analysis for President William J. Clinton
18. Factual and Legal Analysis for Clinton/Gore '96 General Committee, Inc.
19. Factual and Legal Analysis for Vice President Albert Gore, Jr.